

UNITED STATES DISTRICT COURT

for the

EASTERN District of CALIFORNIA

United States of America

v.

DELFINO OSORIO PADILLA

Date of Previous Judgment: October 24, 2000

(Use Date of Last Amended Judgment if Applicable)

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Case No: 2:99CR00452-01 FCD

USM No: 12030-097

David Porter, AFD

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months **is reduced to** 130 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 27

Criminal History Category: VI

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Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 130 to 162 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 10/24/2000 shall remain in effect.

IT IS SO ORDERED.

Order Date: July 18, 2008



Judge's signature

Effective Date: _____
(if different from order date)

Frank C. Damrell, Jr., United States District Judge

Printed name and title